

REMARKS

It is respectfully requested that the above amendments be entered pursuant to the provisions of 37 C.F.R. §1.116(b); that this application be reconsidered in view of the above amendments and the following remarks; and that all of the claims remaining in this application be allowed.

Amendments

Applicants have requested amendments to the specification at page 4 to correct spelling errors contained therein.

Applicants have canceled Claims 15, 55, 56 and 58-62 without prejudice or disclaimer. Applicants reserve the right to file a continuation application to these previously presented claims.

Applicants have requested the entry of new Claims 63-70 under the provisions of 37 C.F.R. §1.116(b).

New Claim 63 is directed to a focused set of compounds which are supported by Figures 9 and 10. Specifically, Claim 63 recites phenyl or substituted phenyl R₁₀ and R₁₁ groups as well as X being either a CH or N group which are depicted in these figures.

New Claims 64-67 are also supported by Figures 9 and 10.

New Claim 68 corresponds to previously presented Claim 60 with the exception that the compound recitation of this claim now incorporates those compounds of Claims 63-67.

New Claims 69 and 70 correspond to previously presented Claims 61 and 62, respectively. Applicants acknowledge that previously presented Claims 61 and 62 are allowable.

No new matter has been added by these claims. Moreover, these claims are presented either to address issues raised under 35 U.S.C. §112 and/or to simplify matters for appeal. Accordingly, entry of these amendments under 37 C.F.R. §1.116(b) is proper.

Entry of these amendments is earnestly solicited.

This amendment changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Upon entry of the above amendments, Claims 63-70 will be pending in this application.

Rejection Under 35 U.S.C. §112, first paragraph

Claims 15, 55, 56 and 58-60 stand finally rejected under 35 U.S.C. §112, first paragraph, for the reasons of record. Applicants submit that new Claims 63-69 obviate this rejection as these claims are fully supported by Figures 9 and 10.

Withdrawal of this rejection is requested.

Allowance of Claims 61 and 62

Applicants note with appreciation that Claims 61 and 62 were allowed. Applicants submit that new Claims 69 and 70, which correspond to previously presented Claims 61 and 62, should likewise be allowed.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. Notwithstanding the above and in order to prevent unintended abandonment of this application, Applicants enclose a Notice of Appeal for this application.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

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